

**HAWAII STATE**

**HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2012**

***ROUGH DRAFT***  
***JOURNAL***

**FIFTY-FIRST DAY**

**APRIL 18, 2012**

**OFFICE OF THE CHIEF CLERK**

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## FIFTY-FIRST DAY

Wednesday, April 18, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:43 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Cindy Evans, after which the Roll was called showing all Members present with the exception of Representative Souki, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fiftieth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 756 through 760) were received and announced by the Clerk:

Sen. Com. No. 756, dated April 17, 2012, informing the House that the Senate has on April 16, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 3025, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS."

Sen. Com. No. 757, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 112, SD 1, HD 1	Espero, Chair; Fukunaga/Kim/Kidani, Co-Chairs; Slom
S.B. No. 155, SD 2, HD 1	Baker, Chair; Espero, Co-Chair; Taniguchi
S.B. No. 1065, SD 1, HD 1	Espero, Chair; Hee, Co-Chair; Ryan
S.B. No. 2784, SD 2, HD 1	Baker, Chair; Ige, Co-Chair; Kidani, Taniguchi, Slom
S.B. No. 2785, SD 2, HD 2	Gabbard, Chair; Baker/Kouchi, Co-Chairs; English
S.B. No. 2958, SD 2, HD 2	Green, Chair; Baker/Chun Oakland, Co-Chairs; Slom
S.B. No. 2967, SD 2, HD 1	Hee, Chair; Ige, Co-Chair; Shimabukuro
S.B. No. 2981, SD 2, HD 2	Gabbard, Chair; Baker, Co-Chair; Ihara
S.B. No. 3001, SD 2, HD 2	Hee, Chair; Kidani, Co-Chair; Kahele, Slom
S.B. No. 3006, SD 2, HD 2	Green, Chair; Gabbard/Chun Oakland, Co-Chairs; Shimabukuro, Slom
S.B. No. 3008, HD 3	Hee, Chair; Kidani, Co-Chair; Slom
S.B. No. 3010, SD 2, HD 1	English, Chair; Espero/Gabbard, Co-Chairs; Kidani, Slom

S.B. No. 3011, SD 2, HD 2	Dela Cruz, Chair; Solomon/Nishihara/Ige, Co-Chairs; Slom
S.B. No. 3039, SD 1, HD 1	Green, Chair; Hee, Co-Chair; Slom
S.B. No. 3048, SD 2, HD 1	Kim, Chair; Ige, Co-Chair; Galuteria, Slom
S.B. No. 3050, SD 2, HD 1	Fukunaga, Chair; Kim/Ige, Co-Chairs
S.B. No. 3053, SD 2, HD 2	Galuteria, Chair; Dela Cruz/Kidani, Co-Chairs; Hee, Kahele, Ryan, Slom

Sen. Com. No. 758, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 121, HD 1, SD 1	Espero, Chair; Kidani, Co-Chair; Slom
H.B. No. 246, HD 1, SD 2	Hee, Chair; Espero/Kidani, Co-Chairs; Slom
H.B. No. 297, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 302, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 304, HD 1, SD 1	Ige, Chair; Chun Oakland, Co-Chair; Kidani
H.B. No. 461, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Espero, Slom
H.B. No. 468, HD 1, SD 2	Espero, Chair; Hee, Co-Chair; Slom
H.B. No. 626, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 679, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 1054, HD 1, SD 1	Tokuda, Chair; Kidani, Co-Chair; Slom
H.B. No. 1181, HD 1, SD 1	Espero, Chair; Hee/Kidani, Co-Chairs; Slom
H.B. No. 1295, HD 3, SD 2	Hee, Chair; Kidani/Baker, Co-Chairs; Slom
H.B. No. 1524, HD 2, SD 2	Nishihara, Chair; Shimabukuro/Wakai, Co-Chairs; Slom
H.B. No. 1543, SD 1	Baker, Chair; Taniguchi, Nishihara
H.B. No. 1666, HD 1, SD 1	Hee, Chair; Shimabukuro/Gabbard, Co-Chairs
H.B. No. 1671, HD 2, SD 2	Espero, Chair; Hee/Kidani, Co-Chairs; Slom

H.B. No. 1695, SD 1	Ige, Chair; Fukunaga, Kidani, Slom	H.B. No. 2174, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Ihara, Slom
H.B. No. 1705, HD 1, SD 1	Ige, Chair; Kidani, Co-Chair; Wakai, Slom	H.B. No. 2179, SD 1	Hee, Chair; Kidani, Co-Chair; Ihara, Slom
H.B. No. 1706, HD 1, SD 1	Baker, Chair; Nishihara, Taniguchi	H.B. No. 2248, HD 2, SD 2	Tokuda, Chair; Kidani, Co-Chair; Slom
H.B. No. 1754, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 2257, HD 1, SD 1	Baker, Chair; Taniguchi, Slom
H.B. No. 1755, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2258, HD 2, SD 1	Baker, Chair; Taniguchi, Slom
H.B. No. 1764, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2264, HD 2, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 1765, HD 2, SD 1	Espero, Chair; Chun Oakland, Co-Chair; Shimabukuro, Slom	H.B. No. 2273, SD 1	Tokuda, Chair; Green/Kidani, Co-Chairs; Ryan, Slom
H.B. No. 1771, HD 1, SD 1	Hee, Chair; Gabbard, Co-Chair; Slom	<p>Sen. Com. No. 759, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:</p>	
H.B. No. 1777, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Ihara, Slom		
H.B. No. 1791, SD 1	English, Chair; Hee, Co-Chair; Slom	H.B. No. 2226, HD 2, SD 2	Espero, Chair; Kidani, Co-Chair; Ryan
H.B. No. 1800, HD 2, SD 2	Hee, Chair; Ige, Co-Chair; Slom	H.B. No. 2296, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 1838, SD 1	Ige, Chair; Kidani, Slom	H.B. No. 2302, HD 2, SD 1	Chun Oakland, Chair; Ige/Hee, Co-Chairs; Ihara, Slom
H.B. No. 1848, HD 2, SD 1	Hee, Chair; Ige, Co-Chair; Shimabukuro	H.B. No. 2320, HD 2, SD 2	English, Chair; Hee/Espero, Co-Chairs
H.B. No. 1892, SD 1	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2326, HD 1, SD 1	Ige, Chair; Kidani, Slom
H.B. No. 1941, HD 2, SD 2	Nishihara, Chair; English/Kidani, Co-Chairs; Kahele, Slom	H.B. No. 2347, SD 1	Espero, Chair; Kidani, Co-Chair; Kouchi, Ryan
H.B. No. 1968, HD 1, SD 2	Baker, Chair; Espero, Co-Chair; Taniguchi	H.B. No. 2361, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 1974, HD 2, SD 1	Espero, Chair; Kidani, Co-Chair; Ryan, Slom	H.B. No. 2409, SD 1	Espero, Chair; Baker, Co-Chair; Slom
H.B. No. 2093, HD 2, SD 2	Tokuda, Chair; Nishihara/Kidani, Co-Chairs; Kahele, Slom	H.B. No. 2454, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 2099, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2476, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2100, HD 2, SD 1	Tokuda, Chair; Nishihara/Kidani, Co-Chairs; Kahele, Slom	H.B. No. 2487, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 2113, HD 1, SD 1	Espero, Chair; Shimabukuro/Kidani, Co-Chairs; Ihara, Slom	H.B. No. 2491, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 2145, HD 2, SD 1	Ige, Chair; Kouchi, Co-Chair; Kidani	H.B. No. 2493, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2150, HD 2, SD 1	Nishihara, Chair; Dela Cruz/Gabbard, Co-Chairs; Slom	H.B. No. 2494, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2169, HD 2, SD 1	Baker, Chair; Taniguchi, Slom	H.B. No. 2495, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 2513, HD 1, SD 2 Tokuda, Chair; Kidani, Co-Chair; Slom

H.B. No. 2514, HD 3, SD 1 Espero, Chair; Hee/Kidani, Co-Chairs; Ihara, Slom

H.B. No. 2515, HD 3, SD 2 Espero, Chair; Hee/Kidani, Co-Chairs; Ihara

H.B. No. 2569, HD 2, SD 1 Hee, Chair; Green, Co-Chair; Ihara

H.B. No. 2574, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 2584, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2593, HD 2, SD 1 Gabbard, Chair; Dela Cruz/Hee, Co-Chairs; Ihara, Slom

H.B. No. 2599, HD 1, SD 1 Espero, Chair; Hee, Co-Chair; Ihara, Ryan, Slom

H.B. No. 2601, HD 3, SD 1 Espero, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2605, HD 1, SD 1 Ige, Chair; Fukunaga, Kidani

H.B. No. 2623, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2626, HD 2, SD 2 Tokuda, Chair; English/Kidani, Co-Chairs

H.B. No. 2655, HD 2, SD 1 Hee, Chair; Ige, Co-Chair; Slom

H.B. No. 2686, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2751, HD 2, SD 1 Espero, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2766, HD 2, SD 1 Hee, Chair; Ige, Co-Chair; Ihara

H.B. No. 2776, HD 2, SD 2 Green, Chair; Chun Oakland/Ige, Co-Chairs; Ihara, Slom

H.B. No. 2798, HD 3, SD 2 Espero, Chair; Hee/Green/Kidani, Co-Chairs; Slom

H.B. No. 2852, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 2872, HD 3, SD 2 Espero, Chair; Fukunaga/Dela Cruz/Kidani, Co-Chairs; Kahele, Slom

H.B. No. 2873, HD 2, SD 2 Espero, Chair; Tokuda/Fukunaga/Kidani, Co-Chairs; Slom

Sen. Com. No. 760, dated April 17, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 2429, SD 2, HD 1 Senator Galuteria added as conferee.

S.B. No. 2798, SD 1, HD 1 Senate Conferees discharged.

## ORDER OF THE DAY

## SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Souki was excused.)

## FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Souki was excused.)

H.B. No. 238, HD 2, (SD 1)  
H.B. No. 425, HD 3, (SD 2)  
H.B. No. 2013, HD 2, (SD 1)  
H.B. No. 2436, HD 1, (SD 1)  
H.B. No. 2564, HD 1, (SD 1)

At 11:48 o'clock a.m. Representative Chong requested a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:49 o'clock a.m.

## H.B. No. 238, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 238, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

## H.B. No. 425, HD 3, SD 2:

Representative Chong moved that H.B. No. 425, HD 3, SD 2, pass Final Reading, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against H.B. 425, as amended. Mr. Speaker, the bill is related to public utilities. What the bill states on page one is that, and I quote, 'It is anticipated that in 2030, 60% of electricity generation will come from fossil fuels.' Mr. Speaker, I'm not ready to take that defeatist attitude, and I don't think we should as a Body. We're saying that we're going to virtually give up on being able to accomplish what we want to accomplish, getting off a larger percentage of fossil fuel, by the year 2030. But the bill says, in the next 18 years, we're not going to accomplish what we want to, and I think that is a very defeatist attitude. I just can't accept that.

"It seemed to me as a Legislature, we should be saying to the Public Utilities Commission, 'Do everything that you can to even exceed what we're trying to accomplish with the clean energy initiative. Do everything that you can to move us off of fossil fuel.' There are young people in this Legislature that within 18 years will be, if they're still here, will be more mature. And they'll look back to today, and say, 'Couldn't we have done better with what we're saying as public policy? Shouldn't we instead say, Public Utilities Commission, you need to do more?'

"The bill in its new language says that the Public Utilities Commission shall consider the costs and benefits of a diverse fossil fuel portfolio, still mired in oil. That's the new language in the bill. I know that there's a savings clause that says, 'Well, we're not excluding the utilities from

meeting the renewable portfolios standards.' But here's the plain language. Public Utilities Commission shall consider the costs and benefits of a diverse fossil fuel portfolio.

"And then what's even more puzzling, the Committee Report that we're adopting through this motion, states that, and I quote, 'Careful consideration and planning must therefore be given to the future supply and pricing of fossil fuels in order to mitigate the negative impacts of high fossil fuel costs on this State's residents and businesses.'

"Well that's pretty arrogant. How the blazes can we, Hawaii, an island state have any impact, mitigate high fossil fuel costs. What are we going to do? Say to the nations that really prefer to do us great harm, give us your oil at a cheaper cost. We import, basically from other countries, not from our mainland United States. Now how the blazes are we going to mitigate those costs? The only way we're going to mitigate them is if we get off of fossil fuel. We can't be arrogant enough to say, 'Hey, we can have an impact on mitigating those costs of fossil fuel in the future.' I mean, that just, I'm sorry. That just can't happen. But we can have a huge impact if we really move forward more aggressively with our renewable energy. I know I've talked to you all about wave energy again, and again, and again.

"Let me just remind you, that the United States Department of Energy's Wave Report has come out this year, and they're indicating that we will have, on Oahu, three times the amount of wave energy power than we need for the entire Island. Why aren't we instead saying, 'Okay, let's move ahead with this new industry. Let's give the focus to that.' We're surrounded by the ocean that has great energy, and great power that can light up our buildings, can light up our State at a much lower cost. Single digit per kilowatt hour, versus the 30 some-odd cents we're now paying. Why aren't we moving ahead with that as our public policy, and saying this is the way we need to go?"

Representative Pine rose to yield her time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Thank you, Representative. I don't like to stand here at my age and say, 'I'm going to be a defeatist.' And say, 'In the next 18 years we can't really reduce our use of fossil fuel.' And for the young people in this Body, you youngsters. I would expect you would want to stand up and say, 'I know we can do better.' Because it's the young people that are really reaching out to do that. And instead what we're doing is saying, 'Go ahead. Assume we'll be stuck, mired in the fossil fuel.' And we'll be able to have some impact on changing the international cost of providing that polluting material to light up our islands.

"Well the Marines within about a year and a half are going to have a wave hub in the water on the Windward side of the Island. There were a number of international and local companies meeting with the Marines, talking about the procedure for hooking up their wave energy converters. That's the way we can go, Mr. Speaker. And that would say something if this Body instead said that we're not going to accept the status quo. We're going to listen to the young people in our State that want a green energy future. And we're going to set forth the policy for the Public Utilities Commission that says, 'Let's get there,' and we're going to get all the other arms of government working ahead to do that. I'm proudly voting no on this, because I don't agree we need to stay mired in fossil fuel. And I wish others would join me. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. May I have the words of the Representative from Kailua entered into the Journal as my own? I have a few footnotes to that. I would describe the bill as a loosey-goosey language which gives an out, an excuse, for not realizing who we are and where we're going in the future. It's like, Mr. Speaker, someone said, 'You know when I grow up, I might be a fireman.' How much commitment does that really say about what you really want to be when you grow up?

"If we really want to get rid of that \$5 billion import of fossil fuel, we can't have language at the beginning of this bill that says, 'You know, unless there's a technological breakthrough that we have got to have 60%

still in fossil fuel.' That really turns the odds on its head, and I think everyone genuinely in their heart want to get off of fossil fuels. But when we do bills like this, it makes us look like we're really not sincere. It looks like, well, there's more political rhetoric. Because I know someone may stand up and say, 'But look, in the last part of the new language it says that, nothing in this section shall subvert the obligation of electrical utilities to meet the renewable portfolio standards set forth in section 269-92.'

"If that is true, Mr. Speaker, why do we even need this bill? Why are we giving an out or a possibility if there's no technological lightning from heaven that changes this formula, then we're going to need this. As leaders, we're supposed to mean what we say, and say we mean. And this bill makes us look like we don't know what either we mean, or what we say that we mean. We're going to keep our word. So, for those reasons, I join my colleague in voting no."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I'm not sure where to start. This is a good piece of legislation that is for the benefit of the entire State. If you look at the renewable portfolio standards, if you look at the clean energy initiative, yes, by 2030 get off oil by 60%. So where is the other 40% going to come from? Where? 40% is still going to have to be, at some point, fossil fuel, because we need firm power. Not when the sun's outside, or when the wind is blowing. When we need firm power. Think about it.

"If you're a utility, Hawaiian Electric or otherwise, it is the only industry I know of, where you don't need a reservation to use the service. We all go home. We plug in our Mac Airbooks, or our soy latte maker, it's got to work. We expect it to be on. We don't all plug into a PV panel. So where does the power have to come from? At some point, for the foreseeable future, we're going to have to use a mix. It is like any other difficult problem. There is not one single bullet solution. It is not going always going to be only renewable. You know people talk about sustainability on this Floor. Guess what? It's not just environmental. It has to be economically feasible and socially equitable.

"So, how do you tell somebody, that someone who has money and willing to pay 5 bucks a kilowatt hour for some renewable. Pat themselves on the back and show the rest of the world, 'Look how clean we are.' While another person who is working two jobs and has a \$300 electric bill just so somebody else can feel good about themselves. This is about socio-economic equality. Are we still for renewable? Absolutely. Is renewable the only solution? No. And it's kind of interesting that when we talk about renewable, nobody here wants to really build the cable for the only firm power that is here, which is geothermal. So I ask my colleagues to take a look at the broader picture. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representatives Thielen and Ward be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to respond, stating:

"Mr. Speaker, I would ask for a point of information, but I believe that I heard the Representative say that it's going to be 60% renewable and 40% fossil fuel. If as his predecessor would say, according to the bill, if you read it, it says on line 5, it is anticipated that in 2030, 60% of electricity generation will come from fossil fuel, not 40%, 60% fossil fuels. I heard 40%. If it was 40%, I would agree with you. That's good enough. But it's 60% which means, Mr. Speaker, we haven't come very far.

"In fact, we've been 3 years really pushing this. On Oahu we're at 3% renewable. And I'm not going to get into the way that we're taking away tax credits to disincentivize the PV industry, which we are doing. But if this says that 60% is going to be there in 2030, I think it's a very, very poor example of leadership. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. Thank you, Mr. Speaker, I disagree with a lot of comments I heard earlier. But part of it is because, taking a sentence or two out of the context of the whole bill sometimes

creates an image of what the bill is about. I want to clearly state that I read the bill totally different from what I heard previous speakers say. What this is really talking about, in my opinion, is that realistically we have to realize that we're very invested in the State of Hawaii in terms of our current assets. A lot of investment in the grid and generation facilities. A lot of investment going on right now in research and development. We have discussions about tax credits, trying to get people converted. But those generally go for people that can afford paying for those systems, which are extremely expensive for some of these renewable energies.

"So what I think this bill's trying to say is, ideally we want to get to a certain place. But realistically, along the way, we're going to have to work together like with the Public Utility Commission and make sure that whatever we're doing generating electricity has to be efficient. It has to be the best it can be. The other more important piece to this is we have to change behaviors. So a big part of this is the Public Utility Commission, working on, you know, making sure that our behaviors are such that we have energy efficiencies.

"So I think the goal of the bill is to give the Public Utilities Commission more 'umph' in saying, that while research and development is out there, while we're trying to get the cost of renewables down to where people can afford them. Until such time we have breakthrough technologies, so we can have batteries, so that with wind energy, and all the other renewables, we can actually store the energy. Until we have some breakthroughs, we, collectively, we have to address this problem. We have to stop using electricity. Electricity generation, I think, is the bigger policy discussion that we're trying to address in this bill. And I'm really glad that we're moving it forward, because I'd like it to be a reality check.

"You know, ideally we're going to get to renewable. Renewable, at this point and time is extremely expensive. I can tell you, in Waikoloa, everybody's talking about how they can get on renewable. But when you look at the cost of photovoltaic, and solar, and just the whole, trying to get there. Unless people have saved a lot of money, they really can't afford to do it. So what do we do in the meantime? Well, we better work with the people that are generating electricity, and figure out a way to make sure they're more efficient to drive down those costs, because in the end it's the rate taxpayers that are getting hurt. So I strongly support the bill. Thank you, Mr. Speaker."

Representative Thielen rose to respond, stating:

"Thank you. My second time, Mr. Speaker, I know. I'd like to respond to the Majority Leader's comments. That we need firm power. The head of Maui Electric who has attended wave energy conferences overseas because of his interest in and awareness that is a power source for Hawaii. He made this statement that wave energy is essentially a firm power. Well how? How is that happening? Because of the NOAA satellites where the utility can obtain the forecast 24 to 48 hours out, to know whether there's going to be a change within that wave energy resource, and then make the adjustments. So it's not like solar, which is not a firm power. It's not like wind, which is not a firm power. Wave energy, surrounding our islands, is a firm power.

"The other thing I found very puzzling that the Majority Leader said, was his plea for socially equitable power sources. If that's the case, wave energy comes in at single digit cost, delivered. Hawaiian Electric's fossil fuel raises our rates to about the highest in the nation, 30 some-odd cents or more per kilowatt hour. We're talking about wave energy, which is essentially a firm power that can cost one-third of what the utility presently uses.

"So what I'm saying is, where is the policy direction of this Body. Why aren't we being more positive, more farsighted, looking ahead toward a source that, really, will reduce our rates for all of our consumers? Will provide the firmness that the utilities need? And saying to the public utilities, help us to get there. This Body has been so silent on giving the support to this technology, and yet young people in this State are coming up with designs for wave energy converters. That's our youth. That's the youth I'm talking about. They wouldn't sit here saying, 'We'll keep our feet mired in fossil fuel and believe that we can't do any better by the year 2030.'

"Thank God for the young, and thank God for the Marines, because they're going to be moving us. But unfortunately, the majority of the Members in here are going to take the defeatist attitude and vote in favor of this bill. I'm not. I say no. Thank you."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, one point that I like about the bill is, I think it tries to bring some honesty in our efforts to meet our energy needs, and hopefully we will exceed what this bill asks for. I think that this bill is setting a basement, not a ceiling. Now, I don't know what type of military the Minority Party envisions. Will we be sending tanks into battle that run on solar energy, or gas energy. The military uses oil and nuclear for all its major combat energy needs. They do experimental energy items regarding the sea, as was brought by the Representative from Kailua.

"And when I read the bill, since everyone's reading the bill more clearly, it says that by 2030, we anticipate 60% of our energy needs for electricity will come from fossil fuels. The key word is anticipate. Because in the same line it says, it depends on technological breakthroughs. And lastly, I would like to conclude with, in our life, generally speaking, use of fuel is voluntary. Thank you."

Representative Ching rose to speak in opposition to the measure, stating:

"I'm sorry, Mr. Speaker. In opposition still. I think it's clear that the Representative that spoke, from Kailua, regarding the Marines' use of wave energy was not, again, was not referring to tanks and things that are going to be used in warfare. But to the alternative energy available here for the State of Hawaii, and what they're utilizing. You know, in terms of financing, and making sure that people have help, leadership. Leadership starts with vision. You really want it. You've got to see it. And you've got to explore those who have the same vision as you, and ask them, how can we do it. If other jurisdictions can do it, I don't understand why we cannot do it.

"It kind of reminds me of when I was a teacher back at Ma'ema'e. I never thought my kids couldn't do it. There's no glass ceiling for a kid. You say he can do it, he can do it. You help him. You help him. And with the clean energy initiative, if you have vision. You have the will to do it. You'll start to find people who can make it happen. I seem to recollect that we did have legislation in the last Administration that was focused particularly, in fact with the Obama Administration, to help finance things.

"You got to want to do it. But if you say things, like this legislation, will kind of. Okay. Maybe. You've got to want it. And we all know that concept, because you wouldn't be elected here, if you didn't have that. So if you had that fire in the belly for clean energy, for doing what the young, what we need now. We could do it. I think we could do it. I know we can do it."

Representative Herkes rose to speak in support of the measure, stating:

"In support, Mr. Speaker. We've heard a lot about wave energy, Mr. Speaker. I've cleaned up, and been through, seen five different tsunamis. With rising sea levels and climate change, the entire plant of ocean energy could end up about a half a mile inland."

The motion was put to vote by the Chair and carried, and H.B. No. 425, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Pine, Thielen and Ward voting no, and with Representatives Chang and Souki being excused.

H.B. No. 2013, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2013, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

ROUGH DRAFT

**H.B. No. 2436, HD 1, SD 1:**

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2436, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

**H.B. No. 2564, HD 1, SD 1:**

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2564, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

At 12:14 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 238, HD 2, SD 1  
H.B. No. 425, HD 3, SD 2  
H.B. No. 2013, HD 2, SD 1  
H.B. No. 2436, HD 1, SD 1  
H.B. No. 2564, HD 1, SD 1

**SUSPENSION OF RULES**

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House Bill. (Representatives Chang and Souki were excused.)

**RECONSIDERATION OF ACTION TAKEN**

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bill, seconded by Representative Evans and carried: (Representatives Chang and Souki were excused.)

H.B. No. 2497, (SD 1)

**ANNOUNCEMENTS**

Representative Ito: "Mr. Speaker and Members, just a short reminder, that today we're having that informational briefing on the marine debris from the 2011 Japan tsunami. It's going to be at 2 o'clock at the Capitol Auditorium. Thank you."

**COMMITTEE REASSIGNMENTS**

The following measures were re-referred to committee by the Speaker:

**S.B.  
No.****Re-referred to:**

2927, Jointly to the Committee on Water, Land, & Ocean Resources  
SD2, and the Committee on Housing, then jointly to the Committee  
HD1 on Transportation and the Committee on Economic  
Revitalization & Business, then to the Committee on Finance

**S.C.R.  
Nos.****Re-referred to:**

63, Committee on Hawaiian Affairs  
SD1

77, Committee on Education  
SD1

79 Committee on Education

80, Committee on Education  
SD1

87, Committee on Hawaiian Affairs, then to the Committee on  
SD1 Finance

120, Committee on Education  
SD1

121, Committee on Education  
SD1

122 Committee on Education

**ADJOURNMENT**

At 12:15 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 19, 2012. (Representatives Chang and Souki were excused.)

**HOUSE COMMUNICATIONS**

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1764, Rhoads/Keith-Agaran, Co-Chrs.;  
HD 1, SD 1 Johanson

H.B. No. 1765, Rhoads/Keith-Agaran/Yamashita, Co-Chrs.;  
HD 2, SD 1 Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1269, Rhoads/Oshiro, Co-Chrs.;  
SD 2, HD 2 Yamashita, Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1065, Rhoads/Aquino/Oshiro, Co-Chrs.;  
SD 1, HD 1 Cullen, Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 155, Herkes/Keith-Agaran/Tokioka, Co-Chrs.;  
SD 2, HD 1 Chang, Marumoto

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day



appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 2927, Chang/Cabanilla/McKelvey/Souki/Har, Co-Chrs.;  
SD 2, HD 1 Pine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2569, Representative Thielen replaced Representative  
HD 2, SD 1 Fontaine as conferee.

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2497, SD 1

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 238, HD 2, SD 1  
H.B. No. 425, HD 3, SD 2  
H.B. No. 2013, HD 2, SD 1  
H.B. No. 2436, HD 1, SD 1  
H.B. No. 2564, HD 1, SD 1